

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ROBERT S. STONE, JR.,

Plaintiff,

-against-

THE STATE OF NEW YORK, *et al.*,

Defendants.
-----X

AZRACK, United States District Judge:

The Court's records reflect that the complaint in this action was filed on October 30, 2024 together with the filing fee, and a summons was issued. (ECF Nos. 1-3.) Pursuant to Rule 4(c)(1) of the Federal Rules of Civil Procedure:

A summons must be served with a copy of the complaint. The plaintiff is responsible for having the summons and complaint served within the time allowed by Rule 4(m) and must furnish the necessary copies to the person who makes service.

FED. R. CIV. P. 4(c)(1) (emphasis added). Moreover, pursuant to Rule 4(m):

If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

FED. R. CIV. P. 4(m).

Accordingly, IT IS ORDERED that **Plaintiff comply with his Rule 4 obligations on or before January 28, 2025**. Once the Defendants are served, Plaintiff shall promptly file a return of service. PLAINTIFF IS ON NOTICE: If he fails to timely serve the summonses and complaint, and does not otherwise communicate with the Court why such service has or has not been made, the complaint will be subject to dismissal without prejudice in accordance with Federal

**FILED
CLERK**

For Online Publication Only
11:59 am, Dec 16, 2024

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

ORDER
24-CV-7600 (JMA) (ST)

Rule of Civil Procedure 4(m).¹

IT IS FURTHER ORDERED that the Clerk of Court is directed to mail a copy of this order to Plaintiff at his address of record and to note such mailing on the docket.

Plaintiff is required to advise the Clerk of the Court of any change of address. Failure to keep the Court informed of Plaintiff's current address may result in dismissal of the case.

SO ORDERED.

/s/ JMA

JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE

Dated: December 16, 2024
Central Islip, New York

¹ The Court encourages Plaintiff to consult with the Hofstra Law *Pro Se* Clinic located in the Central Islip Courthouse, which can provide free information, advice, and limited scope legal assistance to non-incarcerated *pro se* litigants. The Court notes that the *Pro Se* Clinic is not part of, nor affiliated with, the United States District Court. Consultations with the *Pro Se* Clinic can be conducted remotely via telephone. To make an appointment, email the *Pro Se* Clinic at PSLAP@Hofstra.edu or leave a message at (631) 297-2575.